

From: D T
To: Microsoft ATR
Date: 1/28/02 3:38pm
Subject: Microsoft Settlement

Dear Judge Kollar-Kotally,

In relation to my objection to the final settlement in the MS case, I want to point out several loopholes attributed to the Proposed Final Judgment.

I am not in agreement to the oversight committee proposed by the PFJ. Within the confines of the settlement this committee must closely monitor and screen all activities by MS. This close scrutiny insures MS complies with all restrictions entailed in the agreement.

A three man compliance team will oversee and insure that Microsoft comply with the stated rules and regulations. Yet, this three-man oversight committee will be composed of the following: one appointee from the Justice Department, one appointee from Microsoft, and another appointee chosen by the two existing members. In turn, Microsoft will control half of the oversight team.

Also, in the likelihood of any enforcement proceeding, all findings by the oversight committee will not be allowed into court. The sole purpose of the committee is to inform the Justice Department of all infractions by Microsoft. Subsequently the Justice Department will launch its own investigation into the matter and commence litigation to halt all infractions. When all is said and done, the oversight committee is just window dressing, who will not strictly oversee Microsofts business moves?

In my opinion, the Proposed Final Judgment does not provide appropriate restrictions against Microsoft. What reassurance do we have against Microsofts illegal and illicit activities? I can assure you that the Proposed Final Judgment does not effectively nor sufficiently address the question. Subsequently, I again submit my objection to the final settlement in the Microsoft case.

Sincerely,

Doray Tualla
Sacramento, CA

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